
COMBINED DECLARATION AND POWER OF ATTORNEY

Applicant(s) or Patentee(s): **Barry M. Solomon**
Eric Neumann
David Juris
Patrick Brinkman

Serial or Patent Number: **Not Applicable.**

Filed or Issued: **Not Applicable.**

For: **Music Scheduling Algorithm**

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name. I believe I am the original, first and sole inventor (*if only one name is listed below*) or an original, first and joint inventor (*if plural names are listed below*) of the subject matter which is claimed and for which a patent is sought on the invention entitled:

Music Scheduling Algorithm

the specification of which is attached hereto.

ACKNOWLEDGEMENT OF REVIEW OF PAPERS AND DUTY OF CANDOR

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment if applicable. I acknowledge the duty to disclose to the Office all information known to me to be material to patentability as defined in Title 37, Code of Federal Regulations, §1.56, and which is material to the examination of this application, namely, information where there is a substantial likelihood that a reasonable Examiner would consider it important in deciding whether to allow the application to issue as a patent.

I further state that I do not know and do not believe that the above-named invention has ever been known or used in the United States before my invention thereof, or patented or described in any printed publication in any country before my invention thereof, or more than one year prior to this application, or in public use or on sale in the United States more than one year prior to this application; that the invention has not been patented or made the subject of any inventor's certificate in any country foreign to the United States on an application filed by me or my legal representatives or assigns more than six (6) months prior to this application; and that no application for patent or inventor's certificate on the invention has been filed by me or my representatives or assigns in any country foreign to the United States, except as identified below.

CLAIMING PRIORITY FROM FOREIGN APPLICATION

I hereby claim foreign priority benefits under Title 35, United States Code, Section 119 of any foreign application(s) for patent or inventor's certificate listed below and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application on which priority is claimed:

NONE.

Application Serial No.	Country	Date Filed	Priority Claimed (Yes or No)
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CLAIMING PRIORITY FROM U.S. PROVISIONAL APPLICATION

I hereby claim the benefit under 35 U.S.C. Section 119(e) of any United States Provisional application(s) listed below:

<u>60/258,408</u>	<u>December 27, 2000</u>	<u>Pending</u>
Application Serial No.	Filing Date	Status (Pending or Abandoned)

CLAIMING PRIORITY FROM U.S. NON-PROVISIONAL APPLICATION

I hereby claim the benefit under Title 35, United States Code, Section 120 of any United States application(s), or Section 365(c) of any PCT International application designating the United States, listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States or PCT International application in the manner provided by the first paragraph of Title 35, United States Code, Section 112. I acknowledge the duty to disclose to the United States Patent and Trademark Office all information known to me to be material to patentability as defined in Title 37, Code of Federal Regulations, Section 1.56 which became available between the filing date of the prior application and the national or PCT international filing date of this application:

NONE.

Application Serial No.	Filing Date	Status (Patented, Pending, or Abandoned)
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I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

POWER OF ATTORNEY

As a named inventor, I hereby appoint the following agent to prosecute this application and transact all business in the U.S. Patent and Trademark Office connected therewith: **Michael S. Neustel (Reg. No. 41,221)** of 2534 South University Drive, Suite 4, Fargo, North Dakota 58103.

CORRESPONDENCE AND COMMUNICATIONS

Please send all correspondence and direct all telephone calls to:

Michael S. Neustel
2534 South University Drive, Suite No. 4
Fargo, North Dakota 58103
Telephone: (701) 281-8822
Fax: (701) 237-0544
E-mail: neustel@patent-ideas.com

Barry M. Solomon
Full Name of Inventor

Inventor's Signature

Date: 12/14/01

29491 Falcon Ridge Drive, Evergreen, Colorado 80439
Residence

United States
Citizenship

29491 Falcon Ridge Drive, Evergreen, Colorado 80439
Post Office Address

Eric Neumann
Full Name of Inventor

Inventor's Signature

Date: 12-14-01

1940 Blake Street, #300, Denver, CO 80202
Residence

Index

5124 South Andes Street, Centennial, Colorado 80015
Post Office Address

Docket No. MSA

DECLARATION

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name.

I believe we are the original, first and joint inventors of the subject matter which is claimed and for which a patent is sought on the invention entitled

MUSIC SCHEDULING ALGORITHM (MSA)

The specification of which is attached hereto.

I further state that I do not know and do not believe that the above-named invention has ever been known or used in the United States before my invention thereof, or patented or described in any printed publication in any country before my invention thereof, or more than one year prior to this application, or in public use or on sale in the United States more than one year prior to this application; that the invention has not been patented or made the subject of any inventor's certificate in any country foreign to the United States on an application filed by me or my legal representatives or assigns more than six (6) months prior to this application; and that no application for patent or inventor's certificate on the invention has been filed by me or my representatives or assigns in any country foreign to the United States, except as identified below.

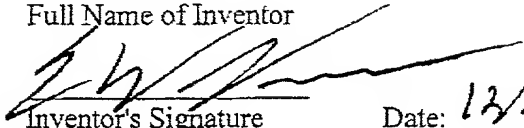
I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims (if included), as amended by any amendment if applicable.

I acknowledge the duty to disclose to the Office all information known to me to be material to patentability as defined in Title 37, Code of Federal Regulations, Section 1.56.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Eric Neumann

Full Name of Inventor


Inventor's Signature

Date: 12/27/00

1940 Blake Street #300, Denver, Colorado 80202

Residence

USA

Citizenship

David Juris

Full Name of Inventor


Inventor's Signature

Date: 12/27/00

9622 E. Orchard Drive, Greenwood Village, Colorado 80111

Residence

USA

Citizenship

Patrick V. Brinkman

Full Name of Inventor


Inventor's Signature

Date: 12/27/00

5124 South Andes Street, Centennial, Colorado 80015

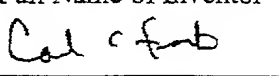
Residence

USA

Citizenship

Carl A. Fischer

Full Name of Inventor


Inventor's Signature

Date: 12/27/00

446 Anvil Way, Golden, Colorado 80401

Residence

USA

Citizenship

October 23, 2000

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10025038-1213001

Docket No. MSA

**VERIFIED STATEMENT (DECLARATION) CLAIMING SMALL ENTITY
STATUS (37 CFR 1.9(f) and 1.27(b)) - INDEPENDENT INVENTOR**

Applicant or Patentee: **Eric Neumann****David Juris****Patrick V. Brinkman****Carl A. Fischer**

For:

MUSIC SCHEDULING ALGORITHM (MSA)

As a below named inventor, I hereby declare that I qualify as an independent inventor as defined in 37 CFR 1.9(c) for purposes of paying reduced fees under section 41(a) and (b) of Title 35, United States Code, to the Patent and Trademark Office with regard to the invention entitled as above and described in:

☒ the specification filed herewith.

I have not assigned, granted, conveyed or licensed and am under no obligation under contract or law to assign, grant, convey or license, any rights in the invention to any person who could not be classified as an independent inventor under 37 CFR 1.9(c) if that person had made the invention, or to any concern which would not qualify as a small business concern under 37 CFR 1.9(d) or a nonprofit organization under 37 CFR 1.9(e).

Each person, concern or organization to which I have assigned, granted, conveyed, or licensed or am under obligation under contract or law to assign, grant, convey, or license any rights in the invention is listed below:

☒ no such person, concern, or organization

☐ persons, concerns or organizations listed below*

*NOTE: Separate verified statements are required from each named person, concern or organization having rights to the invention averring to their status as small entities. (37 CFR 1.27)

FULL NAME: **NOT APPLICABLE**ADDRESS: **NOT APPLICABLE**

☐ INDIVIDUAL

☐ SMALL BUSINESS CONCERN

☐ NONPROFIT ORGANIZATION

I acknowledge the duty to file, in this application or patent, notification of any change in status resulting in loss of entitlement to small entity status prior to paying, or at the time of paying, the earliest of the issue fee or any maintenance fee due after the date on which status as a small entity is no longer appropriate (37 CFR 1.28(b)).

October 23, 2000

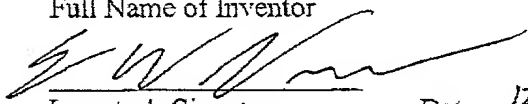
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10025038.121901

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application, any patent issuing thereon, or any patent to which this verified statement is directed.

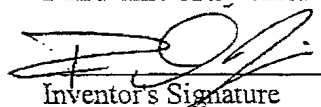
Eric Neumann

Full Name of Inventor


Inventor's Signature Date: 12/27/00

David Juris

Full Name of Inventor


Inventor's Signature Date: 12/27/00

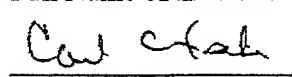
Patrick V. Brinkman

Full Name of Inventor


Inventor's Signature Date: 12/27/00

Carl A. Fischer

Full Name of Inventor


Inventor's Signature Date: 12/27/00

10026033-121901